

9/11/18

Regarding: USAC Appeal Denial of Extension of Service Delivery.

On 1/9/2017 we received a Funding Commitment Decision Letter approving funding for a fiber upgrade .

On 5/4/2017 our vendor notified us that they could not complete the job by the 9/30/2018 deadline.

On 5/8/2017 we filed Form 500 to extend the service delivery date using the reason that the vendor could not complete project due to reasons beyond their control (see screenshot of USAC web page showing valid reasons for a service delivery date extension).

On 12/26/2017 we received an email notification that said the Form 500 was processed and that further detail would be in the News section of our EPC account. There was nothing in our News section so we looked up the detail of the Form 500 and it showed that it was "Committed". Again, there was nothing on the email or the Form 500 that indicated that we were denied and there was nothing in our Newsfeed. Committed indicated to us that the funds were committed to be paid.

We proceeded with the project. Once the project was completed the vendor requested payment from USAC and was denied. We were contacted by the vendor saying that our Form 500 was denied and we would need to file an appeal.

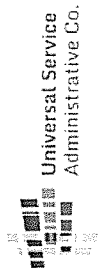
On 4/26/2018 we called USAC to find out the reason and notification process of the denial. We worked for 45 minutes with their customer service representative who could not find a reason for the denial. Several times during this call she reached out to other representatives to try to find out the reason of the denial. Finally, she was able to guide us in requesting and downloading the file that contained the documentation. This process was not explained in the email notification and was not even understood by several customer service representatives that work for USAC.

At this point we were able to see that the reason we were denied was based on "current deadline guidelines and procedures do allow approval for the reason stated". The reason stated is one of the reasons that is posted on their website as a valid reason for a service delivery extension.

We submitted an appeal on 4/26/18 stating that we did not receive adequate information to advise us that our request was denied and that the vendor could not complete the project in the original timeframe requested.

On 8/1/2018 we received a denial of our appeal based on "appeal was filed more than 60 days after the date your decision letter was issued".

We are requesting a reversal of this decision based on inadequate notification that the service delivery date extension was denied and the valid reason that the project could not be completed due to reasons beyond the vendor's control. We appreciate your consideration of this request.



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About USAC Schools and Libraries Rural Health Care Lifeline High Cost Contributors Service Providers  
USAC Home Schools and Libraries Program Applicants Before You're Done Service Delivery

## ABOUT THE PROGRAM

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- Eligible Services List
- Document Retention
- Appeals & Audits
- Glossary of Terms (PDF)
- FAQs

## RESOURCES & TOOLS

- E-rate Productivity Center
- Forms
- Reference Area
- Tools
- Latest News
- Trainings & Outreach
- Submit a Question

FY2018 Application Filing Window Is Now Closed  
\*closes based on March 29, 2018 at 11:59 PM EDT

## APPLICANT PROCESS

### BEFORE YOU'RE DONE

- SPIN Changes
- Service Substitutions
- Global Service Substitutions
- Commitment Adjustments/Reopeners
- FCC Form 500 Filing
- Service Delivery
- Transfer of Equipment
- Disposal or Trade-in of Equipment
- Returning Funds to USAC
- Updating Contact Information

## Service Delivery

To be eligible for program support, eligible services must be received during a specific period of time related to the particular funding year for which discounts are requested.

Recurring services must be delivered during the relevant funding year (July 1 through June 30). There are no extensions available for the installation deadline for recurring services.

In general, non-recurring services must be delivered and installed between July 1 of the relevant funding year and September 30 following the June 30 close of that funding year (i.e., 15 months after the beginning of the funding year). Certain recipients may receive extensions of the deadline for delivery and installation of these non-recurring services, which can occur for various reasons, including:

- A Funding Commitment Decision Letter (FCDL) is issued by USAC on or after March 1 of the funding year for which support is authorized.
- Operational Service Provider Identification Number (SPIN) changes and/or service substitutions are approved by USAC on or after March 1 of the funding year. The acronym "SPIN" is also known as the service providers 498 ID.
- The applicant requested an extension because the service provider was unable to complete delivery and installation for reasons beyond the service provider's control.
- The applicant requested an extension because the service provider has been unwilling to complete delivery and installation after USAC delayed payment while reviewing the application for program compliance.

USAC will automatically extend the service delivery deadline in situations where the first two criteria are met. Recipients of non-recurring services other than special construction that fall under the third and fourth criteria must file an FCC Form 500 on or before the last date to receive service (generally September 30 following the close of the funding year) to request an extension of the service delivery deadline.

Special construction, which is also a non-recurring service, must be delivered and the network must be fit or in use by June 30 of the applicable funding year. (See the Fiber - Summary Overview for additional information.) Applicants may also receive a one-year extension to complete special construction if the applicant can demonstrate that construction was unavoidably delayed due to weather or other reasons. The applicants must file an FCC Form 500 on or before the last date to light the fiber or use the Self-Provisioned Network (June 30 of the relevant funding year) if the fiber will not be lit or the Self-Provisioned Network will not be in use by June 30 of the relevant funding year. See the FAQs. Eligible Fiber Services for additional information regarding deadlines and extensions in relation to non-recurring special construction charges.

## Service Delivery Deadline Extensions

USAC updates the FRN Extension Table after a service delivery deadline extension request has been successfully processed. The extended deadline will appear in the center column of the search results.